



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
BARBARA M. QUINN, JUDGE
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
HARTFORD, CT 06106

April 23, 2010

Dear Judiciary Committee Member,

As you know, the Judicial Branch has been very concerned with the process by which the Judicial Branch's budget is implemented after it has been approved. I am delighted to share with you some revised compromise language to House Bill 5148, *An Act Concerning Judicial Branch Funding*, that changes the process by which the Judicial Branch's budget is approved and implemented by the Legislative and Executive Branches. The compromise language is the result of positive discussions with the Executive Branch. We are extremely supportive of this language and respectfully request your support of the bill as amended.

Specifically, the revised language gives the Legislature the opportunity to see the Judicial Branch's budget recommendations by requiring OPM to include the Judicial Branch's proposed budget in the Governor's budget. In addition, the bill gives the Legislature the opportunity to reject cuts proposed by the Executive Branch to the Judicial Branch's budget.

I want to note, however, that what the bill does not do is to provide a blank check to the Judicial Branch to fund its operations without accountability. Quite the contrary, it provides for a more transparent and balanced budget process that is similar to other states. Nor does it hamper a Governor's ability to manage the state budget, since the Judicial Branch represents only 3.1% of the total state budget. I should note that this language does not provide the Judicial Branch with a block grant budget.

I have also attached information that describes the status of the courthouse closings and law library closings if this bill is approved as well as a summary of the compromise language.

On behalf of the Judicial Branch, I respectfully request that you support the amended language, as we believe that it puts in place an effective budget process.

Very truly yours,

A handwritten signature in cursive script, reading "Barbara M. Quinn".

Barbara M. Quinn, Judge
Chief Court Administrator

BMQ:maj

Enclosures

Status of Courthouse and Law Library Closings and Funding for Certain Initiatives

If H.B. 5148, *An Act Concerning Funding for the Judicial Branch*, passes and there aren't any additional significant cuts to the Judicial Branch's funding for next fiscal year:

- The Judicial Branch will not pursue a statutory change to allow it to close the Bristol G.A. courthouse effective January 1, 2011
- The Bridgeport Law Library will not close as planned on July 1, 2010
- The Hartford Law Library will not close as planned on July 1, 2010
- The Litchfield Law Library will not close as planned on July 1, 2010

The Judicial Branch has asked the Department of Public Works (DPW) to try to renegotiate the existing lease for the Willimantic Juvenile Court. If DPW is successful, the Judicial Branch will not have to close the current Willimantic Juvenile courthouse, which is planned for November 1, 2010. *(The current plan is that the Willimantic Juvenile Court will be relocated to 109 Valley Street in Willimantic – an existing courthouse that the Judicial Branch owns but which is significantly smaller.)*

If this occurs, the Willimantic Law Library, which was closed on April 1, 2010, can be reopened. *(The Law Library was closed to save money by not buying additional books to maintain to the collection and also to make space for the Juvenile Court.)*

The Connecticut Bar Foundation will receive some funding that could not be distributed to them by the Branch this year due to excessive cuts to the Branch's OE budget. This funding is distributed to legal aid organizations.

The programming for juvenile offenders associated with "raise the age" can begin to be implemented.

Even with these changes, the Milford Law Library and the Norwich Law Library will remain closed, and the existing Norwalk Juvenile Court will close as planned on July 1, 2010.

THE JUDICIAL BRANCH SUPPORTS
H.B. 5148, *AN ACT CONCERNING FUNDING
FOR THE JUDICIAL BRANCH*

- Recognizes that the Judicial Branch is a third branch of government.
 - Currently, the budget process treats the Judicial Branch just like an Executive Branch agency.
- The recommended process is not like the block grant budget process.
- Gives the Legislature the opportunity to see the Judicial Branch's budget recommendations by requiring OPM to include the Judicial Branch's proposed budget in the Governor's budget.
 - Currently, OPM is required to include the recommended budgets of the Legislature, the Elections Enforcement Commission, the Office of State Ethics and the Freedom of Information Commission in the Governor's budget.
 - Currently, the Judicial Branch submits its budget to OPM and OPM changes it significantly before including it in the Governor's budget.
- Provides that OPM will allot to the Judicial Branch the exact amount of funding that is included in the approved state budget minus the specific amount of mandatory lapses included in the budget, if any.
- Gives the Legislature the opportunity to reject the cuts that are made by the Executive Branch to the Judicial Branch's budget after it is adopted.
 - Currently, the Governor and OPM can make substantial cuts the Judicial Branch's budget after it is adopted without any input from the Legislature or the Judicial Branch.
 - Under the new bill, proposed cuts would stand unless the Appropriations Committee affirmatively rejects the cut by a 2/3 vote. If no action is taken, the reduction takes effect.
 - The statutes provide that the Governor cannot reduce the allotment requisitions or allotments for the State Elections Enforcement Commission, the Office of State Ethics and the Freedom of Information Commission. The Judicial Branch is not seeking this type of process by which no cuts can be made to its budget after it is adopted.
- Does not hamper a Governor's ability to manage the state budget because the Judicial Branch represents only 3.1% of the total state budget.
- Provides a more transparent and balanced budget process for the Judicial Branch, similar to other states
 - In 31 states, the Executive Branch cannot amend the Judicial Branch's budget before it is submitted to the Legislature for consideration. *(Survey conducted by the National Center for State Courts)*
 - In 28 of the 34 states that responded to a survey, the Governor cannot unilaterally reduce the Judicial Branch's appropriation after it has been adopted and signed into law. *(Survey conducted by the Conference of State Court Administrators)*

